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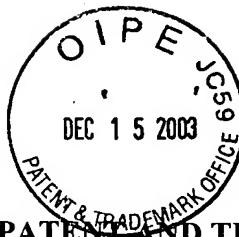
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Chambers

Serial No.: 10/649,425

Filed: August 27, 2003

Title: STRUCTURE AND METHOD TO FABRICATE SELF ALIGNED TRANSISTORS WITH DUAL WORK FUNCTION METAL GATE ELECTRODES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313, on December 10, 2003  
Elizabeth Schumacher  
(Printed or typed name of person signing the certificate)  
Elizabeth Schumacher  
(Signature of the person signing the certificate)

Sir:

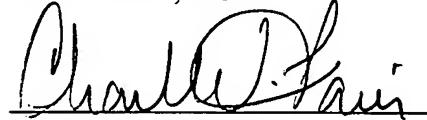
RESPONSE TO NOTICE TO OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

In response to the Notice of Omitted Item(s) in a Nonprovisional Application dated December 1, 2003, attached are the following documents:

1. Preliminary Amendment (pp 5);
2. Replacement Sheets (pp 5); and
3. Copy of Notice of Omitted Item(s) in a Nonprovisional Application.

Respectfully submitted,

HITT GAINES, P.C.



Charles W. Gaines  
Registration No. 36,804

Date: 12/10/03  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/649,425	08/27/2003	James J. Chambers	TI35714

23494  
 TEXAS INSTRUMENTS INCORPORATED  
 P O BOX 655474, M/S 3999  
 DALLAS, TX 75265

## DOCKET

2/1/04 Omitted item due

## CONFIRMATION NO. 5169

## FORMALITIES LETTER



\*OC000000011378759\*

Missed item 2/1/04 ✓

Date Mailed: 12/01/2003 ✓



## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) K & L described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

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references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*m. mcmay*  
*A copy of this notice **MUST** be returned with the reply.*

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